

House Study Bill 158 - Introduced

HOUSE FILE _____

BY (PROPOSED COMMITTEE ON
STATE GOVERNMENT BILL BY
CHAIRPERSON VANDER LINDEN)

A BILL FOR

1 An Act related to elections administration and election
2 officials.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 43.45, Code 2015, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 3. Notwithstanding any requirement to
4 the contrary in subsection 1 and subsection 2, paragraph "c",
5 the commissioner may direct the precinct election officials
6 to tally and record write-in votes at the precincts after
7 the closing of the polls or may direct the precinct election
8 officials to sort the ballots by write-in votes for delivery
9 to the special precinct board to tally and record the write-in
10 votes on any day following election day and prior to the
11 canvass by the board of supervisors under section 43.49.

12 Sec. 2. Section 49.11, subsection 3, paragraph d,
13 subparagraph (2), Code 2015, is amended to read as follows:

14 (2) The consolidated precincts, if established as a
15 permanent precinct, would meet all requirements of section
16 49.3, ~~and a combined total of no more than three hundred~~
17 ~~fifty voters voted in the consolidated precincts at the last~~
18 ~~preceding similar election~~ except that a consolidated precinct
19 may exceed a total population of three thousand five hundred if
20 determined by the commissioner to be administratively feasible.
21 The commissioner shall notify the voters of a consolidated
22 precinct pursuant to section 49.23.

23 Sec. 3. Section 50.24, subsection 2, Code 2015, is amended
24 to read as follows:

25 2. Upon convening, the board shall open and canvass the
26 tally lists and shall prepare abstracts stating the number of
27 votes cast in the county, or in that portion of the county
28 in which the election was held, for each office and on each
29 question on the ballot for the election. The board shall
30 contact the chairperson of the special precinct board before
31 adjourning and include in the canvass any write-in votes
32 tallied and recorded by the special precinct board or any
33 absentee ballots which were received after the polls closed in
34 accordance with section 53.17 and which were canvassed by the
35 special precinct board after election day. The abstract shall

1 further indicate the name of each person who received votes for
2 each office on the ballot, and the number of votes each person
3 named received for that office, and the number of votes for and
4 against each question submitted to the voters at the election.
5 The votes of all write-in candidates who each received less
6 than five percent of the votes cast for an office shall be
7 reported collectively under the heading "scattering".

8 Sec. 4. Section 53.20, subsection 1, Code 2015, is amended
9 to read as follows:

10 1. There is established in each county a special precinct to
11 be known as the absentee ballot and special voters precinct.
12 Its jurisdiction shall be conterminous with the borders of the
13 county, for the purposes specified by sections 53.22 and 53.23,
14 and the requirement that precincts not cross the boundaries
15 of legislative districts shall not be applicable to it. The
16 commissioner shall draw up an election board panel for the
17 special precinct in the manner prescribed by section 49.15,
18 having due regard for the nature and extent of the duties
19 required of members of the election board and the election
20 officers to be appointed from the panel, including, if directed
21 by the commissioner, the tallying and recording of write-in
22 votes.

23 Sec. 5. Section 331.904, subsection 1, paragraph a, Code
24 2015, is amended to read as follows:

25 a. The annual base salary of the first and second deputy
26 officer of the office of auditor, treasurer, and recorder, the
27 deputy in charge of election administration, the deputy in
28 charge of the motor vehicle registration and title division,
29 and the deputy in charge of driver's license issuance shall
30 each be an amount not to exceed eighty-five percent of the
31 annual salary of the deputy's principal officer. In offices
32 where more than two deputies are required, the annual base
33 salary of each additional deputy shall be an amount not to
34 exceed eighty percent of the principal officer's salary. The
35 amount of the annual base salary of each deputy shall be

1 certified by the principal officer to the board and, if a
2 deputy's annual base salary does not exceed the limitations
3 specified in this subsection, the board shall certify the
4 annual base salary to the auditor. The board shall not certify
5 a deputy's annual base salary which exceeds the limitations of
6 this subsection.

7 EXPLANATION

8 The inclusion of this explanation does not constitute agreement with
9 the explanation's substance by the members of the general assembly.

10 This bill relates to elections administration and election
11 officials.

12 Under current law, precinct election officials are required
13 to tally and record write-in votes after the polls close in
14 all elections. Under the bill, the county commissioner of
15 elections may direct the precinct election officials to tally
16 and record the write-in votes after the polls close or may
17 direct the officials to deliver those ballots to the special
18 precinct board to tally and record the write-in votes on
19 any day after the election and before the county board of
20 supervisors canvasses the votes.

21 The bill also provides that precincts consolidated by the
22 county commissioner of elections may have populations greater
23 than 3,500. Current law prohibits any precinct from having a
24 population greater than 3,500.

25 The bill also provides that the deputy in charge of election
26 administration shall earn an annual salary not to exceed 85
27 percent of the annual salary of the county auditor.